

Exhibit “A”

IN THE MAGISTRATE COURT OF GWINNETT COUNTY, STATE OF GEORGIA

Adam Mikel Roseman

900 Marseilles Dr

Atlanta, GA 30327

Plaintiff(s)

vs

Allied Van Lines

40 Technology Parkway South 300

Norcross, GA 30092

Defendant(s)

Telephone (Daytime number if known otherwise evening number)

Clark, Gwinnett Magistrate Court, P O Box 246

Lawrenceville, GA 30046-0246 (770 822 8100 Ext Civil Division)

Civil Action No

INFO & FORMS ON INTERNET
www.gwinnettcourts.com

STATEMENT OF CLAIM

☐ Suit on Note ☐ Suit on Account ☒ Other Contract1 The Court has jurisdiction over the defendant(s) ☐ the Defendant(s) is a resident of Gwinnett County ☒ Other (please specify)

Registered agent in Gwinnett County

2 Plaintiff(s) claims the Defendant(s) is/are indebted to the Plaintiff as follows (You must include a brief statement giving reasonable notice of the basis for each claim contained in the Statement of Claim)

Incurred loss and damage to goods during move. Claim filed with Allied in November 2015. Was not offered full replacement value in the event of loss and damage to goods as stated in contract. Now seeking to collect full replacement value of goods based on original costs.3 That said claim is in the amount of \$ 14,999.00 principal \$ _____ interest plus \$ _____ costs to date and all future costs of this suitState of Georgia Gwinnett CountyAdam Mikel Roseman being duly sworn on oath says the foregoing is a just and true statement of the amount owing by defendant to plaintiff exclusive of all set offs and just grounds of defense

Sworn and subscribed before me this

Plaintiff or Agent

22 day of December 20 16

(If Agent - Title or Capacity)

Day Time Phone Number 430-9584
310-402-5902

Notary Public Attesting Official

I request a civil trial ☒ during normal business hours ☐ 6 30 PM evening trials

ALL CONFLICTS ARE SCHEDULED FOR 6 30 PM

TO All Defendant(s)

NOTARY PUBLIC-GEORGIA
GWINNETT COUNTY
My Comm. Expires April 9 2017

NOTICE AND SUMMONS

You are hereby notified that the above named Plaintiff(s) has/ have made a claim and is requesting judgment against you in the sum shown by the foregoing statement. YOU ARE REQUIRED TO FILE or PRESENT AN ANSWER (answer forms can be obtained from the above listed web site or clerk's office) TO THIS CLAIM WITHIN 30 DAYS AFTER SERVICE OF THIS CLAIM UPON YOU. IF YOU DO NOT ANSWER, JUDGMENT BY DEFAULT WILL BE ENTERED AGAINST YOU. YOUR ANSWER MAY BE FILED IN WRITING OR MAY BE GIVEN ORALLY TO THE JUDGE. If you choose to file your answer orally it MUST BE IN OPEN COURT IN PERSON and within the 30 day period. NO TELEPHONE ANSWERS ARE PERMITTED. The court will hold a hearing on this claim at the Gwinnett Justice & Administration Center 75 Langley Dr Lawrenceville GA 30046 at a time to be scheduled after your answer is filed. You may come to court with or without an attorney. If you have witnesses books receipts or other writings bearing on this claim you should bring them to court at the time of your hearing. If you want witnesses or documents subpoenaed see a staff person in the Clerk's office for assistance. If you have a claim against the Plaintiff you should notify the court by immediately filing a written answer and counterclaim. If you admit to the Plaintiff's claim but need additional time to pay you must come to the hearing in person and tell the court your financial circumstances. Your answer must be RECEIVED by the clerk within 30 days of the date of service. If you are uncertain whether your answer will timely arrive by mail file your answer in person at the clerk's office during normal business hours.

Filed this 22 day of Dec 20 16

Magistrate or Deputy Clerk of Court

See Instructions on Reverse Side of This of this Document

GENERAL INSTRUCTIONS --IF YOUR CASE GOES TO TRIAL

The instructional tape, "I PRESENT MY CASE" is currently scheduled for viewing on the Gwinnett County Public Access Channel, Channel 23, on the following days and times: Monday, 5:30 P.M. & Saturday, 4:30 P.M.; In Spanish, Tuesday, 5:30 P.M., & Sunday, 4:30 P.M.. Current scheduling can be confirmed on the web-site, www.gwinnettcourt.com, click on Calendar, click on Cable Calendar.

See the courts website, www.gwinnettcourts.com.

Additionally, you must be prepared and **ON TIME**. Bring all of your witnesses, documents, photographs, etc. to court with you. If you are late, you may automatically lose your case and you may not have an opportunity to present your side of the issue. If you must be late, contact the court well in advance during normal business hours so that the calendar can be properly marked.

The following may help you in preparing your claim or defense:

☐ All parties shall notify the Clerk of Court in writing of any address change, or daytime telephone number change. All court notices come by regular mail. If you fail to provide your new address, you may miss your trial & lose your case.

☐ I will bring the following to court to prove my case:

- ☐ Written contracts, leases, IOUs, notes, and all written documents applicable to the case.
- ☐ Letters and/or papers relating to the case
- ☐ Bills or estimates, invoices. (The person(s) who prepared the bills or estimates should accompany you to court)
- ☐ Canceled checks
- ☐ Photographs
- ☐ Witnesses (Should accompany you. Notarized statements CANNOT be accepted as evidence at a trial.)
- ☐ All other evidence you consider relevant.

☐ I will bring to court all witnesses having firsthand knowledge of my case. They have not heard evidence from someone else. [NOTE: Impartial witnesses who have no stake in the outcome of the case are generally more believable]

☐ I need to get a subpoena (order to appear) from the Clerk of Court for some witnesses to make certain that they appear. I need to get subpoenas for the production of documents.

☐ This case involves damage to property (for example, a car, the home, etc.)

☐ I can describe the damage in detail and I have repair bills, written estimates of damage or repair, or other reliable evidence to help support my opinion of the value of the property before and/or after the damage. [NOTE: a case involving damages must always be proved by LIVE TESTIMONY]. Bring/subpoena the person to court who prepared the estimates.

☐ I can describe the condition of the property before the damage and I have determined what it was worth then. I have a Bluebook/Blackbook guide or newspaper ads to help prove my opinion. I can describe with reasonable certainty the cost of repairs. I have researched the law as to the correct measure of damages.

FOR PLAINTIFF:

☐ The party I have named is liable to me. (There is not a another person or corporation who really owes the money to me. (Just because a person is an officer/registered agent of a corporation does not make that person liable.)

☐ I can prove the amount of the complaint. I have not asked for more money than is really owed me.

FOR THE DEFENDANT:

☐ I filed an answer/counterclaim to the Plaintiff's claim on time.

☐ I do not owe the money because someone else is legally responsible, a third party or a corporation.

☐ I do not owe the Plaintiff anything for some other reasons.

☐ The Plaintiff is suing for more than the damage.

☐ The Plaintiff owes me money and I have set forth the amount owed me in my counterclaim. (A counterclaim must be proven to a "preponderance of the evidence" in the same manner as Plaintiff's claim.)

☐ I owe most or all of the money the Plaintiff claims but I need more time to pay it. I need to set up a payment plan. I will try to work this out with the plaintiff before court. Otherwise, I will tell the judge I need a payment plan at the court date. judge

NOTE: The Magistrate Court attempts to use simple procedures but is subject to the same rules of law and evidence as any other court. You may wish to seek legal advice from an attorney if the importance of your case warrants it. You have the responsibility for presenting your case and this form gives only general advice which may not be adequate in your case.